

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KIMBERLY CHIAPPERINI, as representative of the  
ESTATE OF MICHAEL CHIAPPERINI; JOSEPH  
HOFSTETTER; MARIAN KACZOWKA and JANINA  
KACZOWKA, as representatives of the ESTATE OF  
TOMASZ KACZOWKA; THEODORE SCARDINO; and  
KAREN SCARDINO

State Index No.: 2014-5717  
**Case No. 14CV06281**

Plaintiffs,

Hon. David G. Larimer

-VS-

GANDER MOUNTAIN COMPANY, INC., DAWN NGUYEN,  
and the ESTATE OF WILLIAM SPENGLER,

Defendants.

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**REMAND ORDER**

Upon the motion (Dkt. #4) of Plaintiffs to remand this case to the Supreme Court of the State of New York, Monroe County where Plaintiffs originally filed it (bearing Index No. 2014-5717) and from which Defendant Gander Mountain Company, Inc. ("Gander Mountain") removed the case to this Court, upon the papers Plaintiffs filed in support of the motion and the papers Gander Mountain filed in opposition to the motion, and after hearing oral argument on July 28, 2014, for the reasons the Court stated on the record at the July 28, 2014 hearing, it is hereby:

**ORDERED** that Plaintiffs' motion to remand this case to the New York State Supreme Court for the County of Monroe is granted; and, it is further

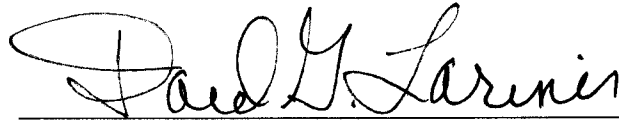
**ORDERED** that Plaintiffs' request for attorneys' fees and costs is denied; and, it is further

**ORDERED** that this case is REMANDED to the Supreme Court of the State of New York, Monroe County; and, it is further

**ORDERED** that the Clerk shall mail a certified copy of this Order of Remand to the Clerk of the Supreme Court of the State of New York, Monroe County; and, it is further

**ORDERED** that the Supreme Court of the State of New York, Monroe County may thereupon proceed with this case.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
August 5, 2014